

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 501 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE PRADIP KUMAR SARKAR

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
  4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge? : NO

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NEMCHANDBHAI PRABHUDAS PATEL

Versus

DIRECTOR OF PRIMARY EDUCATION  
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Appearance:

MR DR BHATT for Petitioner

Ms. B.R. Gajjar, Ld. AGP for Respondent No. 1

MR Devang Trivedi for Mr.KV SHELAT for Respondent No.4  
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CORAM : MR.JUSTICE PRADIP KUMAR SARKAR

Date of decision: 16/06/2000

ORAL JUDGEMENT

Learned counsel appearing for the petitioner submitted that the petitioner has got almost all the reliefs for which the present petition has been filed.

Learned counsel however submitted that one application filed on 2-12-1987 (Annexure-K) to the District Primary Education Officer - respondent no.2 for grant of transit leave from 10-11-1987 to 18-12-1987 has not yet been decided by the said respondent. Learned counsel submitted that the petitioner wants a decision on the said application at Annexure-K. Learned AGP Ms. Gajjar also submitted that, if said application is not yet decided, then respondent no.2 will decide the same in accordance with law. In view of the fact that the petitioner has got almost all reliefs in the present case and the only question remains is the disposal of the application dated 2-12-1987 for grant of transit leave, the respondent no.2 is directed to take a decision on the application of the petitioner dated 2-12-1987 at Annexure-K, regarding grant of transit leave from 10-11-87 to 18-12-87 in accordance with law, within a period of thirty days from the date of receipt of a fresh application from the petitioner along with copy of this order. The petitioner may file a fresh application dated 2-12-1987 (Annexure-K) along with copy of this order to the District Primary Education Officer, Mehsana, respondent no.2 herein, within ten days from today. With the aforesaid observations and directions this petition is disposed of. Rule is made absolute to the aforesaid extent. I make no order as to cost. Direct service permitted.

Dt: 16-6-2000

( P.K. Sarkar, J )

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